

1 ROBERT W. COTTLE, ESQ.  
2 Nevada Bar No. 4576  
3 MATTHEW D. MINUCCI, ESQ.  
4 Nevada Bar No. 12449  
5 **THE COTTLE FIRM**  
6 8635 S. Eastern Avenue  
7 Las Vegas, Nevada 89123  
Email: [robertcottle@cottlfirm.com](mailto:robertcottle@cottlfirm.com)  
[mminucci@cottlefirrm.com](mailto:mminucci@cottlefirrm.com)  
Phone: (702) 722-6111  
Facsimile: (702) 834-8555  
*Attorneys for Plaintiff*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 THOMAS A. WUNDERLICH, individually,

CASE NO.: 2:21-cv-00486-JAD-EJY

11 Plaintiff,

12 vs.

13 STATE FARM MUTUAL AUTOMOBILE  
14 INSURANCE COMPANY,

16 Defendants.

17 **STIPULATION AND ORDER TO CONTINUE JOINT PRETRIAL ORDER DEADLINE**  
**(THIRD REQUEST TO EXTEND DEADLINE FOR JOINT PRETRIAL ORDER)**

18 Plaintiff THOMAS A. WUNDERLICH, through his counsel The Cottle Firm, Defendants STATE  
19 FARM MUTUAL AUTOMOBILE INSURANCE COMPANY (hereinafter “Defendant”), through their  
20 counsel Sean D. Cooney, Esq., of Carmen Cooney, Forbush, PLLC, pursuant to Local Rule IA 6-1 and 26-  
21 3 hereby stipulate and agree to a sixty (60) day extension of the deadline to file the Joint Pretrial Order.  
22 This is the third request for an extension of the Pretrial Order and is entered in good faith without any  
23 intent to delay.

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1           **A. EXTENSION OF DEADLINE TO FILE JOINT PRETRIAL ORDER:**

2           The parties are seeking to extend the deadline to file the Joint Pretrial Order to March 7, 2024.

3           **B. REASON WHY THIS STIPULATION IS NEEDED:**

4           At the end of 2023, a partner at Carman Cooney Forbush, Benjamin Carman, left the firm. Due to  
5 conflicts, he could not take any of his cases with him and those cases were redistributed. Trial counsel for  
6 State Farm in this matter already has one case set to start on February 5, 2024, and inherited two cases from  
7 Mr. Carman which also have trial dates in early February.

8           Additionally, Counsel for the plaintiff, Matthew Minucci, had to travel to New York City for a  
9 funeral and has a trial of his own set to start on February 6, 2024, in the Eighth Judicial District. These  
10 circumstances meant that counsel could not dedicate the time necessary to prepare the joint pretrial order.

11           Finally, the parties are currently engaging in settlement negotiations. An important person with  
12 State Farm for settlement purposes announced on December 12, 2023, that he was leaving the company,  
13 and his replacement was not known until just before the new year. This impeded the settlement  
14 negotiations, which are ongoing.

15           **C. REASON WHY JOINT PRETRIAL ORDER WAS NOT COMPLETED:**

16           The parties are extending the deadline to file the Joint Pretrial Order due unusual circumstances at  
17 the office of counsel for Defendant, several upcoming trial, and ongoing settlement negotiations. If the  
18 parties are unable to resolve this case an extension would allow sufficient time for the parties to meet and  
19 confer regarding stipulated exhibits, witnesses and other matters in relation to the trial. The parties submit  
20 these reasons constitute good cause under LR 26-3 for the extension.

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1           This Stipulation is made in good faith and not for the purpose of delay.  
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DATED this 4<sup>th</sup> day of January, 2024.

4           **THE COTTLE FIRM**

5  
6       By: Matthew D. Minucci  
7       ROBERT W. COTTLE, ESQ.  
8       Nevada Bar No. 4576  
9       MATTHEW D. MINUCCI, ESQ.  
10      Nevada Bar No. 12449  
11      8635 South Eastern Avenue  
12      Las Vegas, Nevada 89123  
13      Phone: (702) 722-6111  
14      Facsimile: (702) 834-8555  
15      *Attorneys for Plaintiff*

16           **CARMAN COONEY FORBUSH PLLC**

17       By: /s/ Sean D. Cooney  
18       SEAN D. COONEY, ESQ.  
19       Nevada Bar No. 12945  
20       ADAM C. EDWARDS, ESQ.  
21       Nevada Bar No. 15405  
22       4045 Spencer Street, Suite A47  
23       Las Vegas, NV 89119  
24       Telephone: (702) 421-0111  
25       Facsimile: (702) 516-1033  
26       *Attorneys for Defendants*

27           **IT IS SO ORDERED.**

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